

09/817,056

REMARKS

Claims 1 through 22 are pending in this Application, of which claims 13 through 20 stand withdrawn from consideration pursuant to the provisions of 37 C.F.R. §1.142(b). Applicants acknowledge, with appreciation, the Examiner's allowance of claims 6 through 12. Accordingly, the only remaining issues pivot about the patentability of claims 1 through 5 and 21 through 23.

Claim 1 has been amended. Care has been exercised to avoid the introduction of new matter. Indeed, adequate descriptive support for the present Amendment should be apparent from Figs. 2 and 3 and the related discussion thereof in the written description of the specification, noting that the bottom of the hole is not actually defined by the first dielectric layer 30. Rather, the hole is entirely within the dielectric layer 30 and the sides of the hole are defined entirely by the side surfaces of the single first dielectric layer, as one having ordinary skill in the art would have understood. Applicants submit that the present Amendment does not generate any new matter issue.

Claims 1, 2, 5, and 21 were rejected under 35 U.S.C. §102 for lack of novelty as evidenced by Morand et al.

This rejection is traversed. Specifically, submitted herewith is a Declaration pursuant to 37 C.F.R. §1.131 (Exhibit A hereto) antedating the filing date of Morand et al. which is September 12, 2000. Accordingly, the reference to Morand et al. is not prior art within the meaning of 35 U.S.C. §102 and, hence, the imposed rejection is not viable.

Based upon the foregoing, Applicants submit that the imposed rejection of claims 1, 2, 5, and 21 under 35 U.S.C. §102 for lack of novelty is evidence by Morand et al. is not factually or legally viable and, hence, solicit withdrawal thereof.

09/817,056

Claims 3, 4, 22, and 23 were rejected under 35 U.S.C. §103 for obviousness predicated upon Morand et al. in view of Chooi et al. and Wolfe.

This rejection is traversed. Specifically, claims 3, 4, 22, and 23 depend from independent claim 1. Applicants incorporate herein the arguments previously advanced in traversing the imposed rejection of claim 1 under 35 U.S.C. §102 for lack of novelty as evidenced by Morand et al. As the reference to Morand et al. is not prior art under 35 U.S.C. §102, the imposed rejection under 35 U.S.C. §103 must fall.

Applicants, therefore, submit that the imposed rejection of claims 3, 4, 22, and 23 under 35 U.S.C. §103 for obviousness predicated upon Morand et al. in view of Chooi et al. and Wolfe is not factually or legally viable and, hence, solicit withdrawal thereof.

Based upon the foregoing, it should be apparent that the imposed rejections have been overcome and that all active claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

09/817,056

Respectfully submitted,

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CERTIFICATION OF FACSIMILE TRANSMISSION
I HEREBY CERTIFY THAT THIS PAPER IS BEING
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